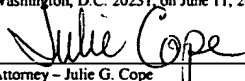


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

Applicant(s) : Borisenko, Dmitry et al.
Serial No. : 09/807,485
Filed : April 12, 2001
Title : **HIGH CAPACITANCE ENERGY STORAGE DEVICE**
Docket : GOW 0082 PA
Examiner : Boris Milef

BOX PCT
Assistant Commissioner for Patents
Washington, DC 20231

CERTIFICATE OF MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on June 11, 2002.

Attorney - Julie G. Cope Reg. No. 48,624

Sir:

RENEWED REQUEST UNDER 37 CFR §1.42

This paper is being filed in response to the Decision mailed on February 15, 2002. Applicant hereby requests the grant of a two month extension of time in which to respond to the Decision mailed on February 15, 2002. Our check in the amount of \$ 200.00 accompanies this request.

On April 12, 2001, applicants filed a transmittal letter for entry into the national stage in the United States under 35 USC §371 which was accompanied by an unsigned declaration.

On May 14, 2001, a Notification of Missing Requirements and Notification of a Defective Oath or Declaration was mailed indicating that an oath or declaration in compliance with 37 CFR 1.497 was required. The declaration submitted on February 18, 2000 was not in compliance with 37 CFR 1.497 (a) because it was not signed.

On July 16, 2001, applicants filed a declaration signed by co-inventor Dmitry Borisenko, a document in Russian titled "Declaration by an Administrator or Executor Attached to Patent Application" and accompanying English translation, a "Small Entity Claim and Request for Refund" and payment of \$65.00 for surcharge fees.

On September 13, 2001, a decision dismissing applicants request under 37 CFR 1.42 was mailed because the declaration signed by the legal administrator did not comply with 37 CFR 1.497 (a)(4). Specifically, the declaration stated "that I verily believe the said Nikolay Borsenkio

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to be the **second** inventor of the improvement in HIGH CAPACITANCE STORAGE DEVICE described and claimed in the foregoing specification.” (Emphasis added)

On October 23, 2001, applicants mailed a Request for Reconsideration. Upon checking the status of the application with the Patent Cooperation Treaty help desk, it was discovered that the Request for Reconsideration was not received. Therefore a copy of the originally mailed Request for Reconsideration was faxed on January 9, 2002.

On February 15, 2002, an unfavorable decision was mailed stating that the Request for Reconsideration was not persuasive. The decision stated that a proper response to the decision is an oath or declaration in compliance with 37 CFR .1497 (a) and (b). The record in the Decision mailed on February 15, 2002 indicates that a Request for Reconsideration was filed on December 31, 2002 and that on January 9, 2002 applicants resubmitted the Request for Reconsideration via facsimile.

Applicant submits a new Delcaration and a “Declaration To Accompany Application For Patent, By An Administrator Or Executor” which are both in compliance with 37 CFR 1.497 (a) and (b). The Declaration by an Administrator or Executor Attached to Patent Application correctly states “that I verily believe the said Nikolay Nikolaevich Borisenko to be the **original, first, and joint inventor** of the improvement in HIGH CAPACITANCE STORAGE DEVICE described and claimed in the foregoing specification.” (Emphasis added)

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CONCLUSION

Applicants respectfully submit that, in view of the above remarks, the documents are in compliance with 37 CFR §1.47 (a) and (b).

Respectfully submitted,

KILLWORTH, GOTTMAN, HAGAN
& SCHAEFF, L.L.P.

By

A handwritten signature in dark ink, appearing to read "Julie Cope", is written over a horizontal line.

Julie G. Cope

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JGC/amm

DT15 Rec'd PCT/PTO JUN 17 2002

PTO/SB/17 (11-01)

Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 200.00

Complete if Known

Application Number	09/807,485
Filing Date	April 12, 2001
First Named Inventor	Dmitry N. Borisenko
Examiner Name	Boris Milef
Group Art Unit	
Attorney Docket No.	GOW 0082 PA

METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☐ Deposit Account:

Deposit Account Number
Deposit Account Name

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments
☐ Charge any additional fee(s) during the pendency of this application
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$) -0-

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Independent Claims Multiple Dependent

Extra Claims Fee from below Fee Paid

-20** = X =

-3** = X =

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$) -0-

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	200
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 200.00

SUBMITTED BY

Name (Print/Type)	Julie G. Cope	Registration No. (Attorney/Agent)	48,624	Telephone	(937) 223-2050
Signature	<i>Julie Cope</i>	Date	06/11/2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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